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February 5, 2021

By ECF

Hon. Sarah Cave, U.S.M.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *C.C., et al. v. NYC Dep't of Educ.*, 20-cv-01915 (GBD) (SLC) –
**Application for 30 day Adjournment of Settlement Conference
Pursuant to the Scheduling Order (Doc. 29) and Standing Order**

Dear Judge Cave:

I am a senior counsel in the Affirmative Litigation Division of the New York City Law Department, counsel for the Defendant New York City Department of Education (“Defendant”) in the case referenced above. I write, with consent of Plaintiff, to request a 30 day adjournment of the Settlement Conference currently scheduled for March 4, 2021.

This is Defendant’s first request for an adjournment of the Settlement Conference, but the third request overall. This Court has previously adjourned the Settlement Conference twice at Plaintiff’s request—first, from September 29, 2020 to January 21, 2021, to permit the completion of an updated neuropsychological evaluation of Plaintiff D.A.; and second, from January 21, 2021 to March 4, 2021, when a COVID-19 exposure required a delay in the aforementioned neuropsychological evaluation.

Defendant requests a 30-day adjournment of the Settlement Conference due to an unavoidable conflict with Court-ordered dates for expedited discovery, a three-day evidentiary hearing, and post-hearing briefing in connection with a pending motion for a preliminary injunction in another matter before this Court. As a result of the Court-ordered expedited schedule, counsel is not able to prepare for, and participate in, the Settlement Conference on the date currently scheduled. Plaintiff has consented to the requested adjournment.

Thank you for your consideration of this request.

Respectfully submitted,

s/ Melanie C.T. Ash
Melanie C.T. Ash
Assistant Corporation Counsel
Affirmative Litigation Division

cc: Benjamin Kopp (via ECF)
Attorney for Plaintiffs

Defendant's Letter-Motion requesting an adjournment of the March 4, 2021 Settlement Conference (ECF No. 33) is GRANTED and the Settlement Conference is ADJOURNED until **Monday, April 12, 2021 at 2:00 pm** on the Court's conference line. The parties are directed to call: (866) 390-1828; access code: 380-9799, at the scheduled time. If the parties wish to proceed via a secure video-teleconference service, and are able to host this service, they may email Chambers with the request and video conference details at least one week before the scheduled conference.

The terms of the Court's Settlement Conference Scheduling Order, including the Court's Standing Order Applicable to Settlement Conferences (ECF No. 29), are incorporated by reference to this order. The parties shall email the Court their settlement conference submissions no later than **Tuesday, April 6, 2021**.

The Clerk of Court is respectfully directed to set this conference as a settlement conference although it will take place by phone and to close ECF No. 33.

SO-ORDERED 2/8/2021


SARAH L. CAVE
United States Magistrate Judge